

The opinion of the decision being entered today was not written for publication and is not binding precedent of the Board.

Paper No. 63

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UNITED STATES PATENT AND TRADEMARK OFFICE

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**PAT. & T.M. OFFICE
BOARD OF PATENT APPEALS
AND INTERFERENCES**

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DONALD K. FOREST

Appeal No. 2000-1901
Application 08/506,032

ORDER REMANDING TO EXAMINER

On August 22, 2000, Mr. Dale M. Shaw, a Program and Resource Administrator, informed applicant that the Appeal Brief filed September 16, 1999 (Paper No. 50), the Amended Appeal Brief filed October 18, 1999 (Paper No. 54), the Reply Brief mailed by applicant on March 2, August (now Paper No.) And the Information Disclosure Statement (IDS) filed March 2, 2000 (No Paper No.), was missing. Mr. Shaw went further, asking if the applicant would resubmit the papers. Mr. Forest asked that the United States Patent and Trademark Office (PTO) do a search first, since such a submission was voluminous. Mr. Shaw agreed to this request. On September 11, 2000, the Board received a paper setting forth the substance of the conversation on August 22, 2000. The Board notes

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for applicant's benefit that the IDS above corresponds to items 4 and 5 in his letter.

On September 6, 2000, the examiner, Ms. Regina Liang informed Mr. Shaw that she had found all the missing papers, and requested that the file be returned to the technology center. This request is hereby GRANTED.

Accordingly, it is

ORDERED that the application be remanded to the Examiner for:

- 1) matching the missing papers to the file;
- 2) consideration of the Reply Brief filed March 3, 2000;
- 3) consideration of the IDS filed March 3, 2000; and
- 4) for such further action as may be appropriate.

It is important that the Board of Patent Appeals and Interferences be informed promptly of any action affecting the appeal.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

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